

BK 0453 PG 0191

STATE MS.-DE SOTO CO. *BC*
FILED *A*

SEP 17 2 41 PM '03

Parcel No. 2069-3000.0-00009.00 [UCC4]

Prepared by:
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BK 453 PG 191
W.E. DAVIS CH. CLK.

To the Chancery Clerk of DeSoto County, Mississippi:

The real property described herein is situated in the Southwest Quarter of Section 30, Township 2 South, Range 6 West of DeSoto County, Mississippi.

PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT

BETTYE B. WHITTEN JENKINS, Life Tenant Under the
Last Will and Testament of David B. Bridgforth
BETTYE B. WHITTEN JENKINS, Executrix and Testamentary
Trustee under the Last Will and Testament of David
B. Bridgforth

GRANTORS

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, **BETTYE B. WHITTEN JENKINS**, Life Tenant under the Last Will and Testament of David B. Bridgforth, and **BETTYE B. WHITTEN JENKINS**, Executrix and Testamentary Trustee under the Last Will and Testament of David B. Bridgforth (the "Grantor(s)"), grant to **DESOTO COUNTY REGIONAL UTILITY AUTHORITY** ("Grantee"), a body politic, a perpetual and assignable easement and right-of-way in, on, over and across the land, for the location, operation, maintenance, alteration, repair and patrol of an underground sewer pipeline; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the land-owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines over the land in DeSoto County, Mississippi described as part of the Southwest Quarter (SW-1/4) of Section 30, Township 2 South, Range 6 West, and being a strip of land fifty (50) feet in width and more particularly described on Exhibit "A."

The Grantors further grant to Grantee a temporary construction easements and rights-of-way in, on, over and across the land running parallel to and along the West and East sides of the above-described fifty (50) foot wide permanent utility easement, said temporary easements

containing a total of 1.75 acres, more or less, as more specifically described on the attached Exhibit "B."

Upon completion of the construction within the above described permanent utility easement, the above-described temporary construction easements shall terminate.

The Grantors further grant to the Grantee the right of ingress and egress to and from said permanent and temporary easements.

The Grantors acknowledge the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledge that they are aware of their rights under said Act, including but not limited to:

- a) notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act;
- b) the opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and
- c) an opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

Grantors fully understand that they have the right to receive just compensation for the real property herein described based on an appraisal of said property. Grantors hereby waive their rights to just compensation and donate the parcel of property herein described to DeSoto County, Mississippi. Grantors further understand that they have the right to request that a fair market value appraisal of the property be made and Grantors hereby waive that right.

Grantors likewise consent that this Easement may be executed in any number of multiple counterparts with the same effect as if all of the Grantors had signed the same document. All counterparts shall be construed together and shall constitute one agreement.

WITNESS OUR SIGNATURES on the dates set forth below.

Betty B. Whitten Jenkins
 BETTYE B. WHITTEN JENKINS, Life Tenant
 under the Last Will and Testament of David B.
 Bridgforth

DATE: 9/2/03

Betty B. Whitten Jenkins
BETTYE B. WHITTEN JENKINS, Executrix
and Testamentary Trustee under the Last Will
and Testament of David B. Bridgforth

DATE: 9/2/03

The Address and Telephone
Number of the Grantors:

3689 Bridgforth Rd.
Olive Branch, MS 38654
(662) ____-____

JACKSON 785626v1

The Address and Telephone
Number of the Grantee:

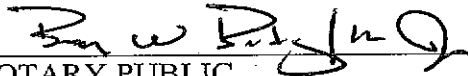
DeSoto County Courthouse
Hernando, MS 38632
(662) 429-5011

STATE OF MISSISSIPPI

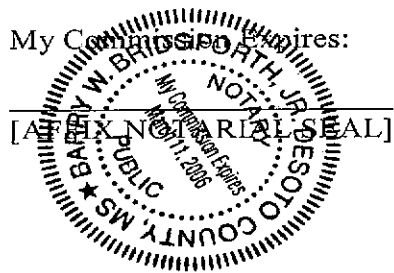
COUNTY OF DESOTO.

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, **BETTYE B. WHITTEN JENKINS**, Life Tenant under the Last Will and Testament of David B. Bridgforth, who acknowledged that she signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office, this the 2 day of September, 2003.


NOTARY PUBLIC

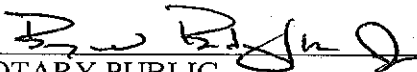
My Commission Expires:



STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said County and State, on this 2 day of September, 2003, within my jurisdiction, the within named **BETTYE B. WHITTEN JENKINS** who acknowledged that she is Executrix and Testamentary Trustee of the Estate of David B. Bridgforth, Deceased, and that in said fiduciary capacities she executed the above and foregoing instrument, after first having been duly authorized so to do.


NOTARY PUBLIC

My Commission Expires:

[AFFIX NOTARIAL SEAL]

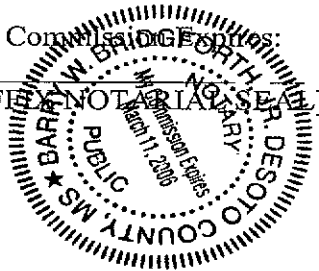


Exhibit "A"

See Attached



Pickering

*Service and Good Work...
Our Foundation, Our Future
Since 1946*

REVISED APRIL 16, 2003

LEGAL DESCRIPTION

PARCEL NUMBER UCC-04 - UTILITY EASEMENT
TAX PARCEL NUMBER: 2069-3000.0-00009.00

BEING A LEGAL DESCRIPTION OF THE CENTERLINE OF A PROPOSED FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT ACROSS PART OF THE BETTYE B. WHITTEN JENKINS PROPERTY RECORDED IN DEED RECORD NUMBER 47 - PAGE 357 AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, SAID PROPOSED EASEMENT TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS "PARCEL NUMBER UCC-04", BEING SITUATED IN DESOTO COUNTY, MISSISSIPPI AND SAID PARCEL NUMBER UCC-04 BEING DESCRIBED AS:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 6 WEST, ALL IN DESOTO COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS:

A PERMANENT UTILITY EASEMENT, TWENTY-FIVE FEET EITHER SIDE OF AND PARALLEL TO THE FOLLOWING DESCRIBED PROPOSED CENTERLINE: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 6 WEST, SAID SOUTHWEST CORNER AS EVIDENCED BY A FOUND AXLE; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST - 1406.26 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST - 1741.78 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT OF BEGINNING LYING IN THE NORTHERLY DEED LINE OF THE WILLIAM T. HAWKS AND WIFE, DIANE HAWKS PROPERTY (DEED BOOK 124 - PAGE 179); THENCE LEAVING SAID NORTHERLY DEED LINE OF HAWKS PROPERTY AND ALONG SAID CENTERLINE OF PROPOSED UTILITY EASEMENT, THE FOLLOWING BEARINGS AND DISTANCES: NORTH 07 DEGREES 05 MINUTES 02 SECONDS EAST - 656.82 FEET TO AN ANGLE POINT; THENCE NORTH 08 DEGREES 40 MINUTES 17 SECONDS EAST - 615.67 FEET TO THE POINT OF TERMINATION OF THIS DESCRIPTION, SAID POINT LYING IN THE SOUTHERLY DEED LINE OF THE WILLIAM E. WILLIAMS PROPERTY (DESCRIBED AS PARCEL C IN DEED BOOK 141 - PAGE 013).

PARCEL UCC-04 CONTAINING 1.461 ACRES OR 63,626 SQUARE FEET MORE OR LESS, SUBJECT TO RIGHT OF WAY IN ANY PUBLIC ROADS AND PUBLIC AND/OR PRIVATE EASEMENTS.

PAGE TWO

ALSO, A THIRTY (30) FOOT WIDE EASEMENT, TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS TEMPORARY CONSTRUCTION EASEMENT "A", TO BE SITUATED ADJACENT TO AND PARALLEL TO THE WEST LINE OF SAID PARCEL UCC-04, SAID EASEMENT "A" CONTAINING 0.876 ACRES OR 38,154 SQUARE FEET MORE OR LESS.

ALSO, A THIRTY (30) FOOT WIDE EASEMENT, TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS TEMPORARY CONSTRUCTION EASEMENT "B", TO BE SITUATED ADJACENT TO AND PARALLEL TO THE EAST LINE OF SAID PARCEL UCC-04, SAID EASEMENT "B" CONTAINING 0.877 ACRES OR 38,196 SQUARE FEET MORE OR LESS.

THE ABOVE DESCRIBED PARCELS ARE VACANT LAND.

BY GRAPHIC DETERMINATION, PARCEL UCC-04 LIES WITHIN THE LIMITS OF THE SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD, PER FIRM/FEMA MAP NUMBER 28033C0150 E, MAP REVISED JUNE 19, 1997.

ALL MATTERS OF PUBLIC RECORD ARE RECORDED AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

BEARINGS ARE RELATIVE TO MISSISSIPPI STATE PLANE GRID NORTH (NAD 83 - WEST ZONE).